

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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YAYA JALLOW,	:	
	:	
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	:	23 Civ. 3969 (LGS)
-against-	:	
	:	<u>ORDER</u>
DAVID TERRELL, et al.,	:	
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, in a Report and Recommendation (the “Report”), dated January 30, 2025, Magistrate Judge Katharine H. Parker recommended that this case be dismissed with prejudice in its entirety. No objection to the Report was filed.

WHEREAS, the recommendation in the Report was based on a finding that Plaintiff has engaged in threatening and inappropriate conduct directed toward Defendants’ counsel and Judge Parker on multiple occasions. Specifically, Plaintiff used profanity, slurs and insults in multiple emails to Defendants’ counsel and in his filings. The Order dated December 26, 2024, ordered Plaintiff to refrain from doing so and warned Plaintiff that “a failure to comply with Court orders . . . may result in sanctions up to and including dismissal of this action.” Despite the Order, Plaintiff continued to use profanity, slurs and insults in communicating with Defendants’ counsel and in appearances before Judge Parker.

WHEREAS, the recommendation in the Report is also based on *Cameron v. Lambert*, No. 07 Civ. 9258, 2008 WL 4823596 (S.D.N.Y. Nov. 7, 2008), which held that, “[p]ursuant to its inherent power, a court may impose sanctions against a party for acting in bad faith, vexatiously, wantonly, or for oppressive reasons, and for misconduct during the course of

litigation.” *Id.* at *4;¹ *see Koehl v. Bernstein*, 740 F.3d 860, 863 (2d Cir. 2014) (affirming the adoption of a report and recommendation to dismiss a case with prejudice for plaintiff’s “offensive, abusive, and insulting language”).

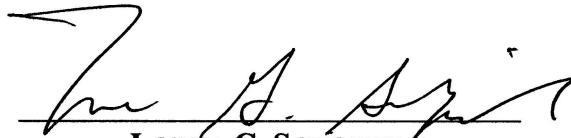
WHEREAS, in reviewing a magistrate judge’s report and recommendation, a district judge “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). “In a case such as this one, where no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record.” *Kuan v. Notoriety Grp. LLC*, No. 22 Civ. 1583, 2023 WL 3936749, at *1 (S.D.N.Y. June 9, 2023).

WHEREAS, the Court finds no clear error on the face of the record as to the Report. It is hereby

ORDERED and ADJUDGED that the Report is **ADOPTED** in full. This case is dismissed in its entirety with prejudice.

The Clerk of Court is respectfully directed to close the case.

Dated: February 26, 2025
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

¹ Unless otherwise indicated, in quoting cases, all internal quotation marks, footnotes and citations are omitted, and all alterations are adopted.